

01-18-00538-CR

In the
Court of Appeals
for the First Judicial District of Texas
at Houston

FILED IN
1st COURT OF APPEALS
HOUSTON, TEXAS
12/3/2018 6:50:03 AM
CHRISTOPHER A. PRINE
Clerk

No. 2167075
In County Criminal Court at Law No. 6
of Harris County, Texas

Ricardo Romano
Appellant
v.
The State of Texas
Appellee

**State's First Motion for Extension
of Time to File Appellate Brief**

To the Honorable Court of Appeals:

The State of Texas, pursuant to TEX. R. APP. P. 2 & 10.5, moves for an extension of time in which to file its appellate brief. The following facts are relevant:

1. On August 24, 2017, the appellant was charged by information with indecent exposure, committed on August 23, 2017. (CR. – 7). Following a trial, the court found the appellant guilty of the charged offense on May 18, 2018. (CR. – 61). The court sentenced him the same day to three days

in jail. *Id.* The appellant filed notice of appeal on June 12, 2018; the trial court certified the appellant's right to appeal on May 18, 2018. (CR. – 54, 64-70).

2. The State's brief was due Friday, November 30, 2018.
3. The State requests a forty-five day extension in which to file its brief.
4. The following facts are relied upon to show good cause for an extension of time to allow the State to file its brief:
 - a. This is the State's first request for an extension in this case.
 - b. In the last two months, I have timely filed five briefs or petitions. The relevant cases are as follows:

Tremaine Rachal
No. 14-18-00120-CR
Brief filed November 8, 2018

Robert Chayenne Alvarez
No. 01-16-00407-CR
Petition for discretionary review filed October 29, 2018

Hoang Thanh Dang
No. 14-18-00155-CR
Brief filed October 23, 2018

Thomas Walter Lopez
No. 14-18-00344-CR
Brief filed October 22, 2018

Edin Palacios
No. 01-18-00368-CR
Brief filed October 2, 2018

c. In addition to this case, I am handling the following appeals:

Alonzo Johnson
No. 14-18-00092-CR
Brief due December 5, 2018

Demarcus Xavier West
No. 01-18-00228-CR
Brief due December 5, 2018

Charles Ray Irving
No. 14-18-00206-CR
Brief due January 11, 2019

- d. I anticipate that I will timely file a brief in *Johnson v. State* later this week.
- e. Within the last thirty days, I have researched a number of issues for trial prosecutors including questions on arrest warrants and charging instruments.

WHEREFORE, the State prays that this Court will grant the requested extension.

Respectfully submitted,

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CERTIFICATE OF SERVICE

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Date: December 3, 2018